

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

OCT 3 - 2000

NANCY MAYER-WHITTINGTON, CLERK
U.S. DISTRICT COURT

In Re: Vitamins Antitrust Litigation

Misc. No. 99-0197 (TFH)

This Document Relates To:

MDL No. 1285

NBTY, Inc., Rexall Sundown, Inc., Twin Laboratories, Inc., and Cambr Company, Inc., f/k/a Solgar Vitamin & Herb Company v. F. Hoffmann-LaRoche Ltd., et al.,

Case No. 99-CV-2372

Perrigo Company, et al v. F. Hoffmann-LaRoche Ltd., et al,

Case No. 99-CV-2411

Natural Alternatives International, Inc., Nutraceutical Corporation, Makers of Kal, Inc., and Weider Nutrition Group, Inc. v. F. Hoffmann-LaRoche Ltd., et al,

Case No. 99-CV-2682

Leiner Health Products Inc. v. F. Hoffmann-LaRoche Ltd., et al,

Case No. 99-CV-3047

*Approved
Hogans
10/3/2000*

**STIPULATION FOR DISMISSAL WITH PREJUDICE
OF CLAIMS AGAINST SUMITOMO CHEMICAL CO.,
LTD., AND SUMITOMO CHEMICAL AMERICA, INC.**

In accordance with Rule 41 of the Federal Rules of Civil Procedure, Plaintiffs Leiner Health Products, Inc., Natural Alternatives International, Inc., Makers of Kal, Inc., NBTY, Inc., Nutraceutical Corporation, Perrigo Company, Rexall Sundown, Inc. and Twin Laboratories, Inc. (collectively "Plaintiffs") and Defendants Sumitomo Chemical Co., Ltd. and Sumitomo Chemical America, Inc. ("Sumitomo") stipulate and agree to the dismissal, with prejudice, of Plaintiffs' claims in each of the above-captioned lawsuits against Sumitomo only. This dismissal with prejudice is without prejudice to Plaintiffs' claims against any other Defendants or alleged co-


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conspirators in the above-captioned cases. A proposed Order of Dismissal With Prejudice accompanies this Stipulation as Exhibit 1.

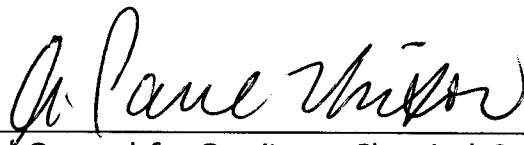
Respectfully submitted,

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By: 
Counsel for Plaintiffs Leiner Health
Products, Inc., Natural Alternatives
International, Inc., Makers of Kal, Inc.,
NBTY, Inc., Nutraceutical Corporation,
Perrigo Company, Rexall Sundown, Inc. and
Twin Laboratories, Inc.

-- and --

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By: 
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Case No. 99-CV-2682

***Leiner Health Products Inc. v. F.
Hoffmann-LaRoche Ltd., et al,***

Case No. 99-CV-3047

ORDER OF DISMISSAL WITH PREJUDICE OF SUMITOMO

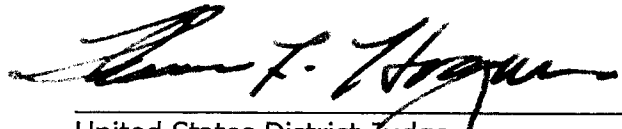
AND NOW, this 3 day of October, 2000, upon consideration of the Stipulation for Dismissal With Prejudice filed by Plaintiffs Leiner Health Products Inc., Natural Alternatives International, Inc., Makers of Kal, Inc., NBTY, Inc., Nutraceutical Corporation, Rexall Sundown, Inc., Perrigo Company, and Twin Laboratories, Inc. ("Plaintiffs") and Defendants Sumitomo Chemical Co., Ltd. and Sumitomo Chemical America, Inc., it is

Ordered that the Stipulation of Plaintiffs and Defendants Sumitomo Chemical Co., Ltd. and Sumitomo Chemical America, Inc. to dismiss with prejudice Plaintiffs' claims in the above-captioned cases against Defendants Sumitomo Chemical Co., Ltd. and Sumitomo Chemical

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America, Inc. only be and the same is Accepted. Accordingly, the claims in the above-captioned cases of Plaintiffs Leiner Health Products Inc., Natural Alternatives International, Inc., Makers of Kal, Inc., NBTY, Inc., Nutraceutical Corporation, Rexall Sundown, Inc., Perrigo Company, and Twin Laboratories, Inc., against Defendants Sumitomo Chemical Co., Ltd. and Sumitomo Chemical America, Inc. be and the same are hereby dismissed with prejudice. This Order is without prejudice to Plaintiffs' claims against any other Defendants or alleged co-conspirators in the above-captioned cases.


United States District Judge

cc: Counsel for Plaintiffs shall serve
conformed copies of this Order
to all counsel of record in MDL
No. 1285 through Verilaw

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